

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In Re: Edward E Williams : Chapter 13
Debtor : Bankruptcy No.22-10075-PMM

OBJECTION TO PROOF OF CLAIM NO. 4-1 OF PORTFOLIO RECOVERY ASSOCIATES

Scott F. Waterman, the Chapter 13 Trustee, pursuant to 11 U.S.C. § 502 and F.R.B.P. 3001(c) hereby objects to Proof of Claim 4-1 of PORTFOLIO RECOVERY ASSOCIATES (“Creditor”) and states the following reasons in support thereof

1. On January 13, 2022 the Debtor filed the instant Chapter 13 case.
2. On March 03, 2022 Creditor filed the attached unsecured Proof of Claim No. 4-1 in the amount of \$1,605.83. A true and correct copy of the Proof of Claim (pages 1-7) is attached hereto as Exhibit “A.”
3. The statute of limitations for any breach of contract claim is 4 years from the date of the breach. See 42 Pa.C.S.A. § 5525; In re Michael Angelo Corry Inn, Inc., 297 B.R. 435 (W.D. Pa. 2003); Baird v. Marley Company, 537 F. Supp. 156 (Bankr. E.D. Pa. 1982).
4. According to the Proof of Claim, the Creditor admits that the Debtors’ last payment was on October 9, 2015, over six years prior to the filing in this case. (See page 4 of Proof of Claim)
5. The statute of limitations regarding the debt listed in this proof of claim has expired.

WHEREFORE, the Chapter 13 Trustee requests that this Court sustain his objection and disallow the claim and enter the attached Order.

Dated: June 28, 2022

Respectfully submitted,

/s/ Scott F. Waterman

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